

DENNIS J. HERRERA, State Bar #139669
City Attorney
WAYNE K. SNODGRASS, State Bar #148137
JEREMY M. GOLDMAN, State Bar #218888
Deputy City Attorneys
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
Telephone: (415) 554-6762
Facsimile: (415) 554-4699
E-Mail: jeremy.goldman@sfcityatty.org

Attorneys for Defendant
SHERIFF VICKI HENNESSY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RIANA BUFFIN and CRYSTAL
PATTERSON, on behalf of themselves and
others similarly situated,

Plaintiffs,

vs.

SHERIFF VICKI HENNESSY, in her
official capacity,

Defendant.

vs.

CALIFORNIA BAIL AGENTS
ASSOCIATION,

Intervenor Defendant.

Case No. C15-04959 YGR

**DECLARATION OF ALISSA RIKER IN
SUPPORT OF THE SHERIFF'S RESPONSE TO
THE MOTIONS FOR SUMMARY JUDGMENT**

Hearing Date: December 12, 2017
Time: 2:00 p.m.
Place: Courtroom 1, Fourth Floor
Judge: Hon. Yvonne Gonzalez Rogers

Attached Docs: Exhibit 1

1 I, Alissa Riker, declare as follows:

2 1. I am Director of Programs with the San Francisco Sheriff's Department.

3 2. Among other things, I oversee the performance of the San Francisco Pretrial Diversion
4 Project pursuant to its contracts with the Sheriff's Department, including the OR Project.

5 3. I also represent the Sheriff's Department on the Working Group overseeing the
6 implementation and use of the Public Safety Assessment pretrial risk assessment tool ("the PSA
7 Tool") developed by the Laura and John Arnold Foundation ("the Arnold Foundation").

8 4. As part of my responsibilities, I require the OR Project to provide me with data
9 concerning their operations, and I review it for the purpose of evaluating the OR Project's
10 performance. As a result, I am familiar with the data maintained by the San Francisco Pretrial
11 Diversion Project and by the Sheriff's Department regarding the operation of the OR Project.

12 5. I have reviewed the declaration of Ms. Hatton and the exhibits on which she relied.
13 Ms. Hatton erroneously assumed that the only pre-arraignment OR releases are labeled as "Project
14 O.R." At a minimum, this excludes releases that the duty judge ordered at a higher level of
15 supervision. Those releases would be designated as "Assertive Case Management" rather than
16 "Project O.R."

17 6. In reviewing Plaintiffs' summary judgment motion, I noticed that Plaintiffs appear to
18 misunderstand the process with respect to the OR Project. Contrary to Plaintiffs' description on page
19 3, deputy sheriffs do not determine eligibility for pre-arraignment OR release. That determination is
20 made by OR Project staff after the Sheriff's Department has received ID confirmation for the
21 individual from the FBI and California Department of Justice based on the fingerprints submitted. ID
22 confirmation is required in order to prepare the individual's criminal history.

23 7. Attached hereto as Exhibit 1 are excerpts from a report entitled "Public Safety
24 Assessment Implementation in San Francisco: Preliminary Data From the First Six Months." The
25 Sheriff's Department produced this document in discovery in this case.

26 8. The report was prepared by Justice System Partners, which was retained by the Arnold
27 Foundation to provide consultative assistance regarding the implementation of the PSA Tool in San
28 Francisco County. Justice System Partners prepared the report for members of the Working Group,

1 analyzing data from different sources including the Pretrial Diversion Project and Sheriff's
2 Department.

3 9. Pages SHF000837-38 of the report show the number of cases presented to the duty
4 judge pre-arraignment versus the number presented at arraignment. By comparing those two numbers,
5 and subtracting from the number considered at arraignment the 22% of applications that were
6 presented again at arraignment because they were previously denied by the duty judge, I conclude that
7 approximately half of all cases were ineligible for pre-arraignment consideration.

8 I declare under penalty of perjury under the laws of the State of California and the United
9 States that the foregoing is true and correct. Executed this 14th day of November 2017 in San
10 Francisco, California.


11 
12 Alissa Riker

EXHIBIT 1

Public Safety Assessment (PSA) Implementation in San Francisco

Preliminary Data from the First Six Months

January 2017



JUSTICE SYSTEM PARTNERS

SHF000830

PSA Analysis

» Purpose

- Analyze preliminary data regarding use of PSA and DMF since implementation April 30th through October 31st 2016

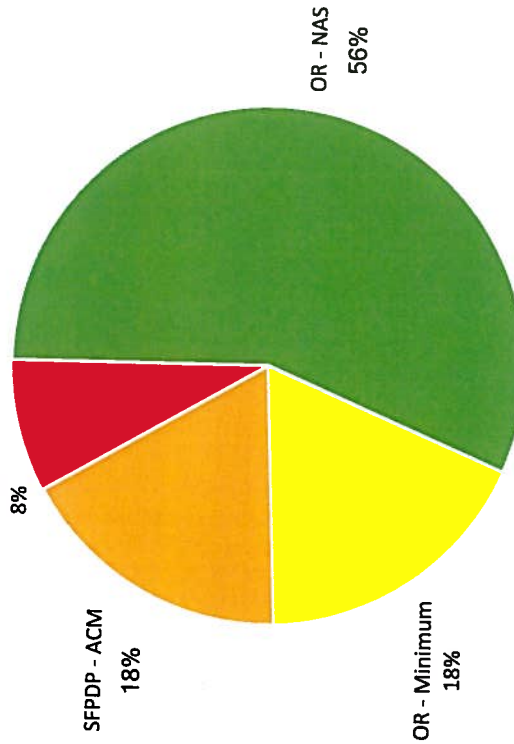
» Scope

- Reviewed individual case level data files from SF Pretrial Diversion Project and jail release files from SF Sheriff's Department

Pre-Arraignment Eligible Cases DMF Recommendations and Duty Judge Decisions

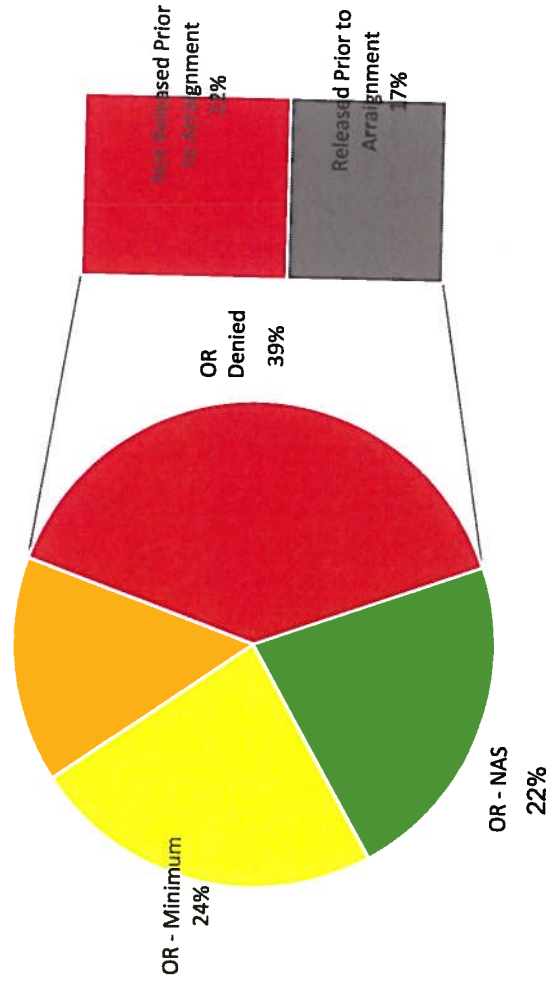
DMF Recommendation
May through October (736 Cases)

Release Not
Recommended



Duty Judge Decision
May through October
(736 Cases)

SFPDP - ACM
15%



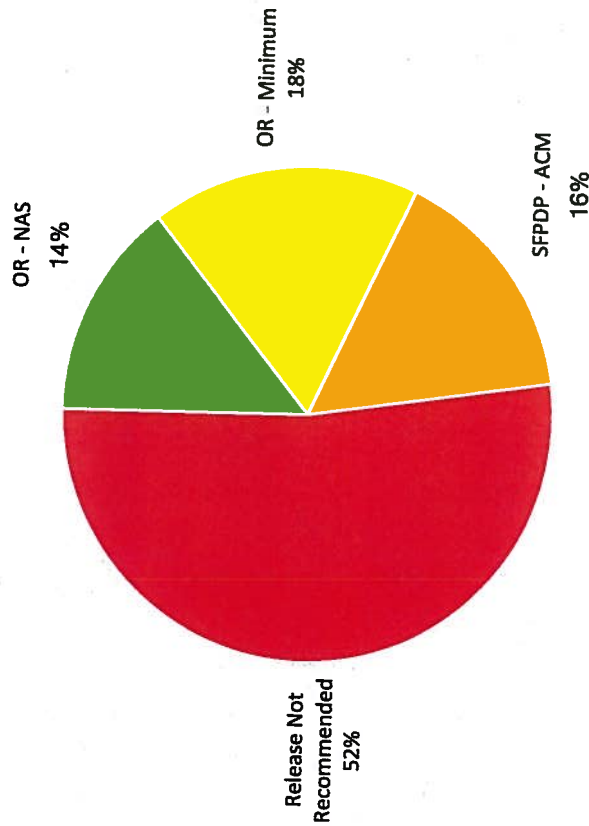
Jan 2017

Prepared for SF Court, Sheriff, and PSA Work Group

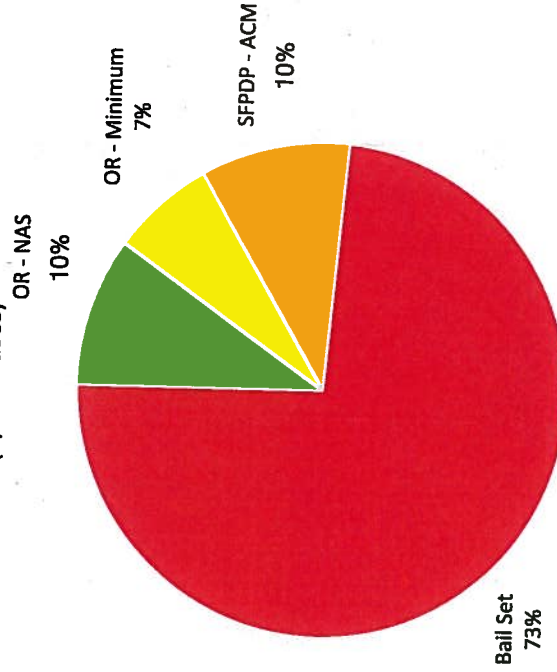
SHF000837

Cases where OR Decision must be delayed until Arraignment DMF Recommendation and Arraignment Judge Decision

DMF Recommendation
May through October
(1,562 Cases)



Decision at Arraignment
May through October
(1,562 Cases)



Jan 2017

Prepared for SF Court, Sheriff, and PSA Work Group

SHF000838